

ATTORNEY DOCKET No. 123857-00002 (SAND06-07196)
U.S. SERIAL NO. 10/695,304
PATENT

REMARKS

The Notice of Non-Responsive Amendment alleges that Applicant's earlier Amendment of July 26, 2004 "fails to address each ground of rejection distinctly and specifically by pointing out specific claim language in at least each independent claim that is not accounted for in the rejection over the applied prior art." This allegation is traversed as follows.

Applicant's July 26, 2004 Amendment states on pages 7 and 8:

"Claims 1-7, 9, and 15-18 stand rejected under 35 U.S. C. 102(b) as being anticipated by Frankot ('397) or Bickel et al ('972) or Frankot et al ('693) or Gabriel et al ('704) or Corrubia et al ('119) or Brown ('171) or Brown ('424) or Auterman ('708) or Madsen et al ('318). These rejections are overcome for the exemplary reasons given below.

Claims 1-22 recite that an antenna baseline length between a first flight pass of an antenna pair and a second flight pass of an antenna pair is estimated by applying geometric analysis to first and second geometric relationships between a reference point and the respective first and second flight passes. The first geometric relationship is specified by first information determined from the first flight pass, and the second geometric relationship is specified by second information determined from the second flight pass. The position or height of a target is estimated based on the antenna baseline length estimate and one of the first and second geometric relationships. Thus, a geometric relationship that was geometrically analyzed to produce the antenna baseline length estimate is also re-used together with that antenna baseline length estimate to estimate the target position/height. This exemplary feature of Claims 1-22 has not been found to be taught or suggested in any of the aforementioned applied references.

In particular, Frankot '397 appears to be the only one of the aforementioned references that even addresses the problem of determining a baseline length between respective flight passes of antenna pairs."

(emphasis added)

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As shown above, the Remarks of the July 26, 2004 Amendment contained the following information:

1. A specific listing of all prior art references that had been used in the pending claim rejections;
2. An explicit description of a feature that is included in every pending claim;
3. An explicit statement that the claim feature has not been found to be taught or suggested in any of the listed prior art references.

It is therefore submitted that, as demonstrated above, Applicant's July 26, 2004 Amendment does in fact comply with 37 C.F.R. 1.111(b).

Moreover, in the first full paragraph on page 8 of the July 26, 2004 Amendment, Applicant further explained that Frankot '397 appears to be the only one of the prior art references that provides any teaching about determining a baseline length between respective flight passes of antenna pairs.

Furthermore, the July 26, 2004 Amendment provides on page 8 a detailed explanation of how all pending claims distinguish patentably over Frankot '397.

As mentioned above, Applicant maintains that the July 26, 2004 Amendment fully complies with 37 C.F.R. 1.111(b). Nevertheless, in order to remove any question from the

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record, it is hereby submitted that none of the applied prior art references, namely none of Frankot '397 or Bickel et al '972 or Frankot et al '693 or Gabriel et al '704 or Corrubia et al '119 or Brown '171 or Brown '424 or Auterman '708 or Madsen et al '318 teaches or suggests the above-described feature of Claims 1-22 wherein a geometric relationship that was geometrically analyzed to produce an antenna baseline length estimate is also re-used together with that antenna baseline length estimate to estimate a target position/height. In particular, none of Bickel et al '972 or Frankot et al '693 or Gabriel et al '704, or Corrubia et al '119 or Brown '171 or Brown '424 or Auterman '708 or Madsen et al '318 teaches or suggests estimating an antenna baseline length, much less using an antenna baseline length estimate to estimate a target position/height, as required by Claims 1-22.

Regarding Frankot '397, and as mentioned above, the July 26, 2004 Amendment sets forth in detail how Claims 1-22 patentably distinguish over Frankot '397.

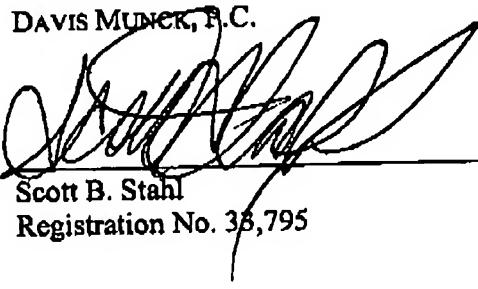
In view of the foregoing, further and favorable consideration of this Application is respectfully requested.

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If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at sstahl@davismunck.com.

Respectfully submitted,

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